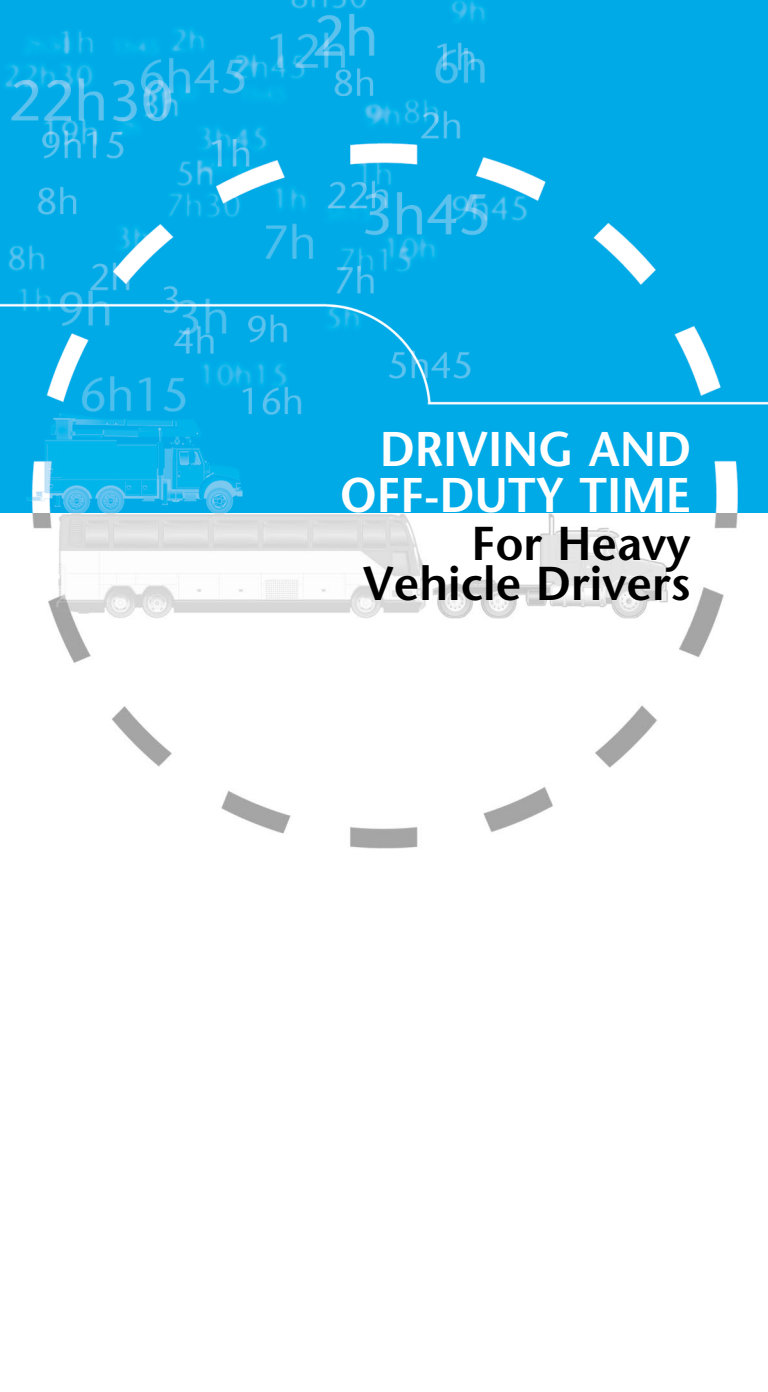


**DRIVING AND
OFF-DUTY TIME**
**For Heavy
Vehicle Drivers**





DRIVING AND OFF-DUTY TIME

**For Heavy
Vehicle Drivers**



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Below is a list of equivalent terms used interchangeably in this guide and in other SAAQ documents concerning heavy vehicles.

- Hours of driving = driving time/hours
- Hours of service = on-duty time = hours of work
- Hours of rest = off-duty hours

This document is provided for explanatory purposes only. For questions of a legal nature pertaining to the application or interpretation of the relevant legislation, please refer to the *Highway Safety Code* and the *Regulation respecting hours of driving and rest of heavy vehicle drivers*.

DRIVING

And Off-Duty Time

Goal

Rules governing driving time, on-duty time and off-duty time help to limit the fatigue that heavy vehicle drivers may experience. Drivers who are tired pose a hazard to themselves and to other road users. The applicable standards are set forth in the *Regulation respecting the hours of driving and rest of heavy vehicle drivers*. The guiding principles of the Regulation are as follows:

- to enable heavy vehicle drivers to have a minimum number of hours of rest before getting on the road;
- to establish a maximum amount of driving time and on-duty time after which drivers are required to stop driving.

Fatigue

Regulatory control alone cannot eliminate the risk of accidents due to fatigue. A number of factors contribute to driver fatigue and vary from one individual the next. Some of the main factors include the following:

- the time of day;
- how long a driver has been awake;
- irregular schedules;
- a sleep disorder and an accumulated “sleep debt”;
- a driver’s health;
- workload and work practices.

A driver can recognize symptoms of fatigue and should act on the first signs of drowsiness (frequent yawning, fluttering eyelids, involuntary lane changes, delayed braking, inconsistent speed, etc.). It is important to not drive when drowsy, and to pull over in a safe location to rest as soon as any signs of drowsiness appear.

Who must comply?

Requirements regarding hours of driving and rest concern:

- heavy vehicle drivers;
- heavy vehicle operators;
- shippers, consignees and any other person subject to legislative provisions that apply to the operation of heavy vehicles.

Vehicles covered

Drivers of the following vehicles must comply with the Regulation:

Road vehicles with a gross vehicle weight rating (GVWR) of 4,500 kg or more

Examples:

- trucks (including road tractors);
- trailers and semi-trailers;
- equipment transport vehicles (e.g. well-drilling rigs, concrete pumps, compressors, truck-mounted cranes).

Road vehicle combinations consisting of at least one vehicle with a GVWR of 4,500 kg or more

The following road vehicles, regardless of their GVWR:

- buses and minibuses (other than those used for urban transit);
- tow trucks;
- vehicles carrying hazardous materials that require the display of hazard placards.

Exempted vehicles

Drivers and operators of the following heavy vehicles are exempted from the regulatory requirements governing hours of driving and hours of service:

A heavy vehicle used for an entire day by an individual for personal purposes, more specifically for purposes other than commercial or professional ones

Examples:

- a vehicle weighing 4,500 kg or more (pickup truck, recreational vehicle) that is used **solely** for personal purposes;
- a vehicle weighing 4,500 kg or more used for personal purposes for an entire day (exempted on that day only).

A heavy vehicle used during part of the day by an individual for personal purposes, more specifically for purposes other than commercial or professional ones, is exempted **for the first 75 kilometres travelled** in a day, where the following conditions have been met:

- The vehicle has been unloaded and any trailers have been unhitched.
- The driver has entered in the record of duty status the odometer readings that correspond to when the driver started and stopped using the vehicle for personal purposes.
- The driver has not been issued an out-of-service order.

For instance, a driver whose home terminal is at a business's establishment uses a tractor to return home after a day of work: this driving time is considered to be off-duty time for the first 75 km travelled. If the distance exceeds 75 km, the time required to cover the additional distance will be deemed driving hours.

An emergency vehicle (e.g. ambulance, fire department road vehicle, emergency response vehicle);

A heavy vehicle when it is used by an emergency service or in the event of a disaster;

A tool vehicle, which is a road vehicle—other than a vehicle mounted on a truck chassis—manufactured to perform work, the work station of which is an integral part of the driver's cab (e.g. grader, road roller, fork lift, back loader);

A farm tractor and farm machinery within the meaning of the *Regulation respecting the registration of road vehicles*;

A farm trailer within the meaning of the *Regulation respecting safety standards for road vehicles* that is owned by a farmer;

A bus or minibus used for urban transit provided by a public transit corporation or under a contract with a public transit body, an inter-municipal commission or board, a municipality or group of municipalities;

A combination of road vehicles where each vehicle has a GVWR of less than 4,500 kg, except a vehicle combination transporting hazardous materials that requires the display of hazard placards;

A vehicle with a GVWR of less than 4,500 kg transporting dangerous substances that does not require the display of hazard placards, except minibuses and tow trucks;

A straight truck with two or three axles, used to transport the primary products of a farm, forest or fishery, if the operator of the truck is the producer of the products (e.g. a potato grower who makes deliveries). The exemption also applies to a vehicle that is used to return to a producer's place of business, in which case the vehicle must be unladen or must be carrying only goods that go into operating the farm, forest or fishery.

The table below lists a few examples of farm, forest and fishery products and defines which goods are defined as primary products and which are not.

Types of goods	Are the goods transported considered primary products?	
	Yes	No
Farm <ul style="list-style-type: none"> • Live cattle • Side of beef • Eggs • Vegetables • Homogenized milk • Flowers in flats 	X X X X	 X X
Forest <ul style="list-style-type: none"> • Tree with branches removed • Tree cut into logs • Tree sawed into lengths • Shrubs for planting • Christmas trees 	 X X	X X X
Fishery <ul style="list-style-type: none"> • Cooked lobster • Cut and eviscerated fish • Dead fish (whole raw) • Live fish 	 X X	X X

VERY IMPORTANT: Anyone who drives an exempted vehicle or any employee of a heavy vehicle operator, regardless of that person's duties, is required to count as on-duty time any time spent driving a heavy vehicle covered by the Regulation (except where the vehicle is being used for personal purposes). For example, Sarah is an urban transit bus driver. She must add up her hours of on-duty time to determine whether she can drive a charter bus on the weekend.

Definitions

Compliance with the Regulation requires a knowledge of the following basic concepts:

Adverse driving conditions

Adverse road or weather conditions that were not known to the driver or operator before the driver began driving or could not reasonably have been known to them.

Cycle

Cycle 1 or Cycle 2.

Cycle 1

A cycle under which on-duty time is accumulated over a period of 7 days.

Cycle 2

A cycle under which on-duty time is accumulated over a period of 14 days.

Day

A period of 24 hours that begins at the time designated by the operator. Each day starts at the same time for the duration of the driver's cycle.

Driver

An individual:

- who drives a heavy vehicle;
- whom an operator employs to drive a heavy vehicle;
- whose services have been retained to drive a vehicle.

Driving time (hours of driving)

The number of hours during which a driver is at the wheel of a heavy vehicle when the engine is running.

Duty status

Duty status refers to the following:

- off-duty time (hours of rest), other than time spent in a sleeper berth;
- off-duty time (hours of rest) spent in a sleeper berth;
- on-duty time (hours of service), excluding driving time;
- driving time (hours of driving).

Note: Records of duty status using the terms “hours of rest” and “hours of service” are acceptable in Québec.

Electronic logging device (ELD)

Any device or technology that automatically records a driver's hours of driving and that is certified by an accredited certification body under the *Commercial Vehicle Drivers Hours of Service Regulations* (SOR/2005-313).

Establishment

The location(s) designated by the operator as the place where records of duty status, supporting documents and other registers or records required under the Regulation are kept.

Home terminal

The place at which a driver ordinarily reports for work or any other temporary work location designated by the operator.

Malfunction

Any event resulting in a malfunction code being automatically recorded in an electronic logging device (ELD).

Off-duty time (hours of rest)*

Any period of time other than a driver's hours of service. Breaks, time taken for meals, holiday, vacation and time spent on a ferry are deemed to be hours of rest, provided that for the duration of the downtime in question, the driver is free to partake in any activities of the driver's choice and is allowed to leave the location of the vehicle.

An operator is not required to issue a letter to a driver (also called a release letter) authorizing the driver to enter time taken for meals or other breaks as hours of rest.

Off-duty time (hours of rest)* in the sleeper berth of a vehicle

The amount of time actually spent in the sleeper berth of a heavy vehicle to rest.

On-duty time (hours of service)*

The period that begins when a driver starts work, including any time when the driver is required by the operator to be available at the work site, and that ends when the driver stops working or is relieved of their responsibilities by the operator. The period of hours of service includes hours of driving and any time the driver spends on the following activities:

- inspecting, servicing, repairing, conditioning, starting or fueling a heavy vehicle;
- writing reports;
- travelling in a moving heavy vehicle as a co-driver, except for time spent in the sleeper berth;
- participating in the loading or unloading of a heavy vehicle;
- inspecting or checking the load of a heavy vehicle;
- waiting before and while a heavy vehicle is being serviced, loaded or unloaded;
- waiting to be assigned work;
- waiting before and while a heavy vehicle or its load is inspected and, if relevant, while any remedial action is taken;

* Records of duty status using the terms “hours of rest” and “hours of service” are acceptable in Québec.

- waiting before and while verifications are made to check whether a driver complies with requirements;
- waiting at an en-route point because of an accident or other unplanned occurrence or situation;
- performing yard manoeuvres with a heavy vehicle within any area of a terminal, depot or port that is not on a public road;
- resting while on board the heavy vehicle or otherwise occupying the vehicle, except where:
 - the time spent inside the vehicle is considered to be off-duty time as a passenger;
 - the driver spends this time in the sleeper berth;
 - the time spent inside the stopped vehicle is considered part of the mandatory hours of off-duty time that are not part of the required period of 8 consecutive hours of off-duty time;
 - the time spent inside the stopped vehicle is considered to be in addition to the mandatory hours of off-duty time that are not part of the required period of 8 consecutive hours of off-duty time;
- performing any other work at the request of the operator.

A driver who awaits a trip at the home terminal must consider this period as hours of service. If the waiting period takes place at home, it is considered hours of rest, even if a driver is paid for this period.

Person who supplies the services of a driver

This concept applies when an operator retains the services of a driver who is not directly employed by the operator, that is, the driver is supplied by a driver agency or another operator.

Owner-operators or brokers who offer their own services as a driver for an operator are not considered to be persons who offer the services of a driver. However, owner-operators who offer the services of drivers other than themselves are considered to be persons who supply the services of a driver within the meaning of the *Highway Safety Code*.

Radius of 160 km

A distance of 160 km as the crow flies, calculated from the driver's home terminal. The radius is calculated using a map.



Record of duty status

A record in which drivers record their duty status and the information required by Regulation.

Sleeper berth

An area of a heavy vehicle designed for use as a sleeping compartment that is located in the cab or beside the cab and complies with the provisions of the Regulation (see Appendix 1).

Supporting document

Any of the following documents received or prepared by drivers in the course of their duties or received or prepared by an operator:

- any electronic mobile communication record reflecting communications between a driver and an operator transmitted through a driver call-in or fleet management system;
- any payroll record, settlement sheet or equivalent document that indicates payments to the driver;
- any government-issued document indicating the location of the heavy vehicle;
- any reports, receipts, records or other documentation relating to the load of the heavy vehicle, including any bill of lading, itinerary, schedule or equivalent document that indicates the origin and destination of each trip;
- any reports, receipts, records or other documentation relating to the servicing, repairing, conditioning, fueling, inspection or rental of the heavy vehicle; and

- any reports, dispatch or trip records, receipts, or other documentation indicating the date, time, or location of the heavy vehicle during a trip, including arrival and departure times.

Technical Standard

Refers to the *Technical Standard for Electronic Logging Devices* published by the Canadian Council of Motor Transport Administrators, as defined and interpreted in the *Commercial Vehicle Drivers Hours of Service Regulations (SOR/2005-313)*. This standard serves as a reference document for the certification of electronic logging devices.

Work shift

The time between two periods of at least 8 consecutive hours of rest.

General rules

When planning a schedule, a driver must comply with the requirements of the following reference periods:

Fourteen days

Regardless of which cycle is followed, in order to be allowed to drive, a driver must have taken at least **24 consecutive hours of off-duty time** during the preceding **14 days**.

January 2024						
SUN	MON	TUES	WED	THURS	FRI	SAT
	1	2 ✓	3 ✓	4 ✓	5 ✓	6 ✓
7 ✓	8 ✓	9 ✓	10 ✓	11 ✓	12 ✓	13 ✓
14 ✓	15 ✓	16	17 ✓	18 ✓	19 ✓	20 ✓
21 ✓	22 ✓	23 ✓	24 ✓	25 ✓	26 ✓	27 ✓
28 ✓	29 ✓	30 ✓	31 Today			

Cycles

A driver follows Cycle 1 or Cycle 2.

If a driver follows Cycle 1:

No driving is allowed after the driver has accumulated **70 hours** of on-duty time over a period of **7 consecutive days**.

The following is an example over a period of 3 days:

SUN	MON	TUES	WED	THURS	FRI	SAT
0 hours	1 13 hours	2 8 hours	3 13 hours	4 10 hours	5 11 hours	6 0 hours
7 ? hours						

On-duty time accumulated (Days 1-6): 54 hours
Remaining: 70-54 = 16 hours

SUN	MON	TUES	WED	THURS	FRI	SAT
0 hours	13 hours	1 8 hours	2 13 hours	3 10 hours	4 11 hours	5 0 hours
6 3 hours	7 ? hours					

On-duty time accumulated (Days 1-6): 44 hours
Remaining: 70-44 = 26 hours

SUN	MON	TUES	WED	THURS	FRI	SAT
0 hours	13 hours	8 hours	1 13 hours	2 10 hours	3 11 hours	4 0 hours
5 3 hours	6 10 hours	7 ? hours				

On-duty time accumulated (Days 1-6): 46 hours
Remaining: 70-46 = 24 hours

If a driver follows Cycle 2:

No driving is allowed after the driver has accumulated:

- **120 hours** of on-duty time over a **period of 14 consecutive days**;
- **70 hours** of on-duty time, without having taken at least **24 consecutive hours of rest**.

Example:

SUN	MON	TUES	WED	THURS	FRI	SAT
0 hours	1 10 hours	2 10 hours	3 10 hours	4 10 hours	5 10 hours	6 10 hours
7 0 hours	8 8 hours	9 9 hours	10 8 hours	11 8 hours	12 8 hours	13 8 hours
14 ? hours						

Condition 1 – No driving is allowed after a driver has accumulated 120 hours of on-duty time over a period of 14 consecutive days.

Hours of on-duty time accumulated:

109 hours (Days 1 to 13)

Hours of driving remaining: 120-109

11 hours (Day 14)

Condition 2 – No driving after 70 hours of on-duty time without having taken 24 consecutive hours of off-duty time.

Hours of on-duty time accumulated:

49 hours (Days 8 to 13)

Hours of driving remaining: 70-49

21 hours (Day 14)

In order to meet both conditions, a driver must not drive more than **11 hours** on the 14th day.

Beginning a cycle or switching cycles

A driver **CAN end** the current cycle, **begin** a new one or **switch** cycles, as long as the driver takes the following amount of off-duty time:

- at least **36 consecutive hours** of off-duty time if the driver is following Cycle 1;
- at least **72 consecutive hours** of off-duty time if the driver is following Cycle 2.

After having taken this off-duty time, the driver begins a new cycle. The hours of on-duty time are reset to zero and begin to accumulate again.

Work shift

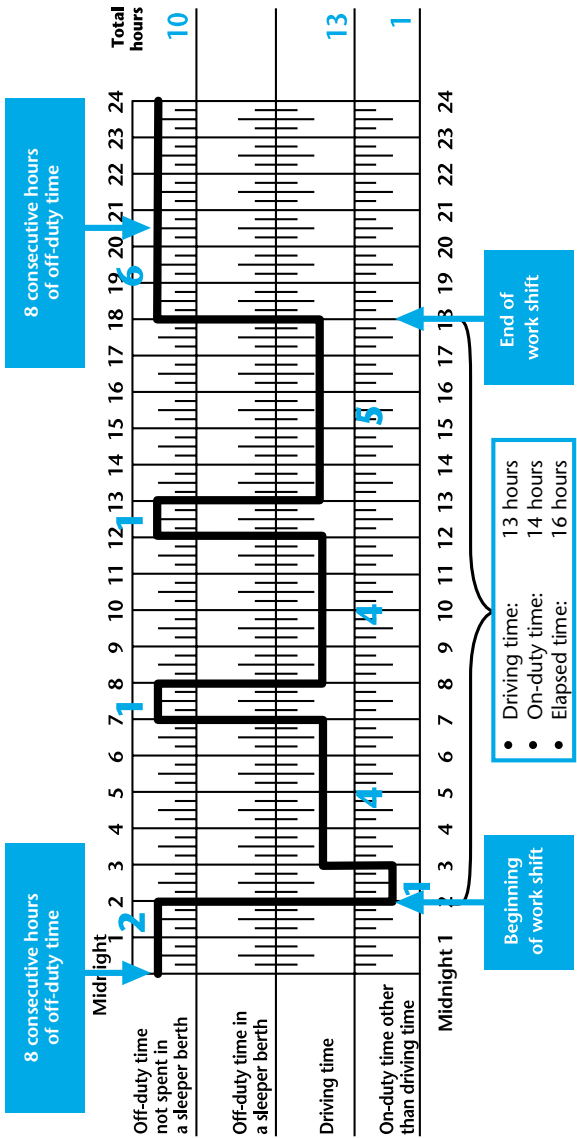
A work shift is the **time between two periods of at least 8 consecutive hours of off-duty time**. A new work shift begins after a period of at least 8 consecutive hours of off-duty time. The hours of off-duty time cannot be taken on board a stopped heavy vehicle, unless the driver spends them in the sleeper berth.

Work shift requirements

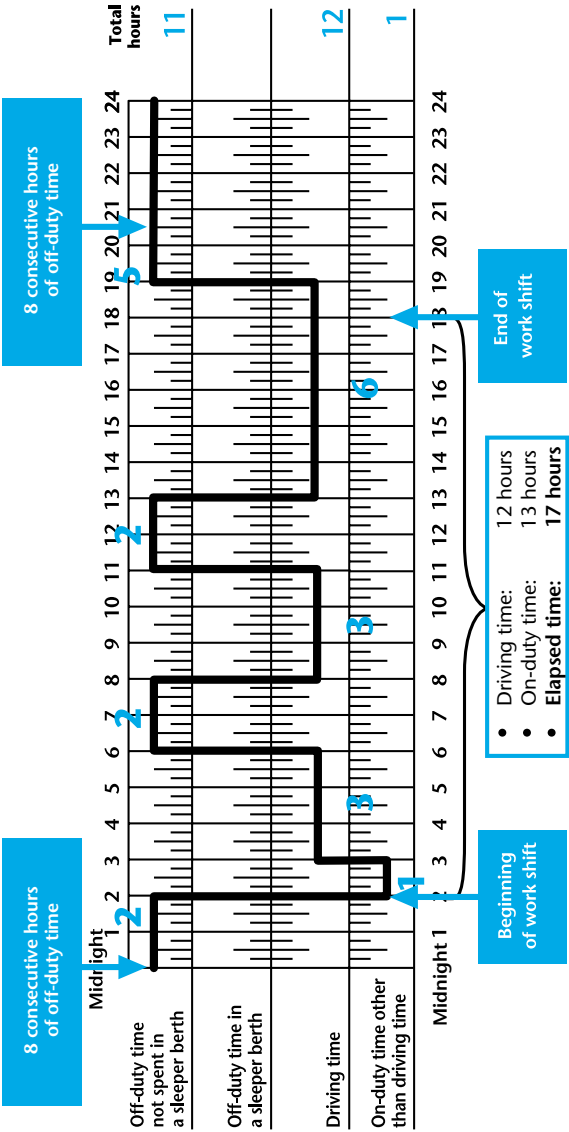
From the time a work shift begins, **no driving is authorized** after:

- accumulating **13 hours of driving time**;
- accumulating **14 hours of on-duty time**;
- **16 hours have elapsed**.

An example of a work shift that complies with the Regulation:



An example of a work shift that does not comply with the Regulation:



Day

A day is a period of 24 hours that corresponds to the period covered by a record of duty status. During a cycle, a day always begins at the same time. If a driver wishes to change the time a day begins, a new cycle must be started.

The time a day begins may be different from the time a driver begins a work shift. For example, a day may begin at midnight and a work shift may begin at 7:00 a.m.

Daily requirements

To be authorized to drive, a driver must have taken at least 10 hours of off-duty time during each of the 14 previous days. This must include at least **2 hours** of off-duty time that are not part of the 8 consecutive hours of off-duty time the driver must take before starting a new work shift. These 2 hours can be split up into breaks of not less than 30 minutes.

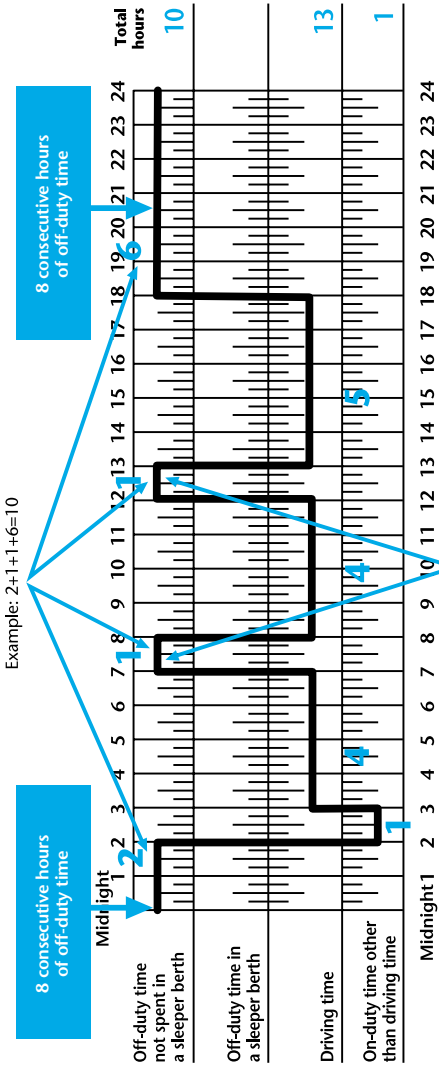
During a day, a driver **must stop driving** after accumulating:

- **13 hours** of driving time; or
- **14 hours** of on-duty time.

An example that complies with the Regulation:

10 hours of off-duty time

The 8 consecutive hours do not have to all be in the same day.



Two hours of off-duty time were taken that were not part of the mandatory 8 consecutive hours of off-duty time.

An example that does not comply with the Regulation:

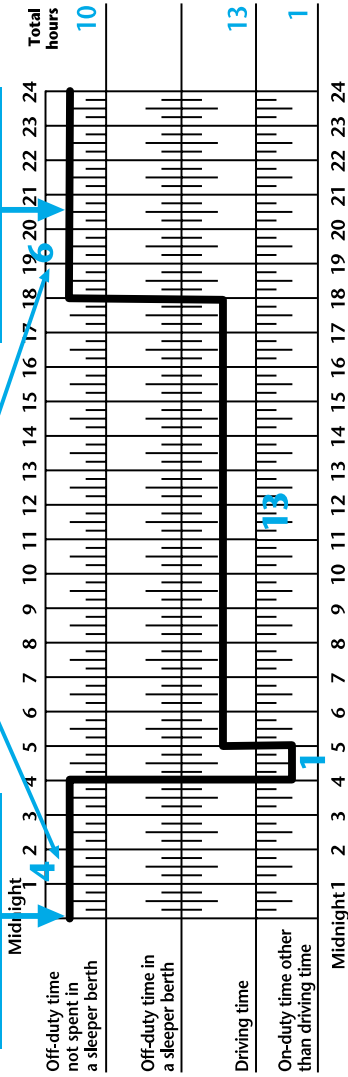
10 hours of off-duty time

The 8 consecutive hours do not have to all be in the same day.

Example: $4 + 6 = 10$

8 consecutive hours of off-duty time

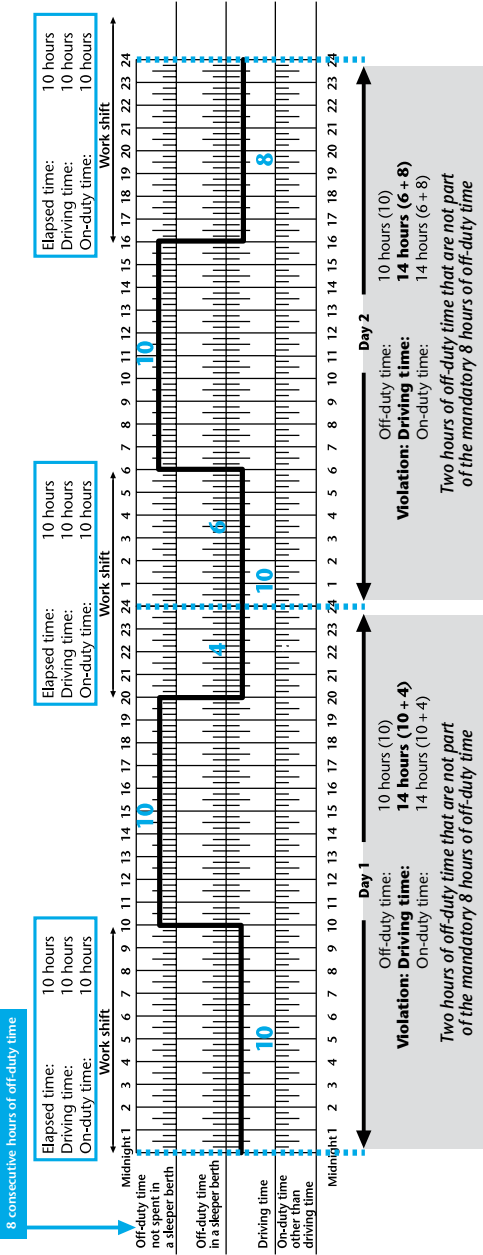
8 consecutive hours of off-duty time



Violation: This driver did not take 2 hours of off-duty time that are not part of the mandatory 8 consecutive hours of off-duty time.

“Work shift” and “day” combinations

If a work shift overlaps two days, drivers must comply with the rules that apply to a day AND the rules that apply to a work shift.



Special situations

Deferral of daily off-duty time

A driver can extend driving time or on-duty time by up to **2 hours** in a given day, provided that **2 hours of off-duty time** are then deferred to the following day and the following conditions are met:

- The driver does not split daily hours of off-duty time in a sleeper berth.
- The hours of off-duty time deferred are not part of the mandatory 8 consecutive hours of off-duty time.
- The hours of off-duty time deferred are added to the 8 consecutive hours of off-duty time taken on the second day.
- A total of at least 20 hours of off-duty time are taken during the 2 days.
- A total of no more than 26 hours of driving time are accumulated during the 2 days.
- The total number of hours of driving in a day does not exceed 15 hours.
- The driver reports the deferral of off-duty time in the record of duty status and indicates whether it is the first or second day of the deferral period.

VERY IMPORTANT: A deferral of off-duty time allows the number of hours of driving to be extended to a maximum of 15 hours in a day, or the number of hours of on-duty time to be extended to a maximum of 16 hours in a day. The hours that are deferred, however, cannot cause driving hours and hours of on-duty time of a work shift to be extended.

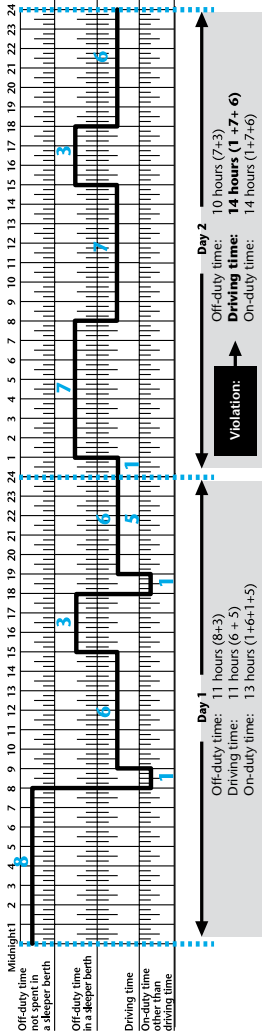
Splitting hours of daily off-duty time in a sleeper berth

A driver who is travelling alone can use the sleeper berth in a vehicle to split hours of off-duty time into **two periods**, if the following conditions are met:

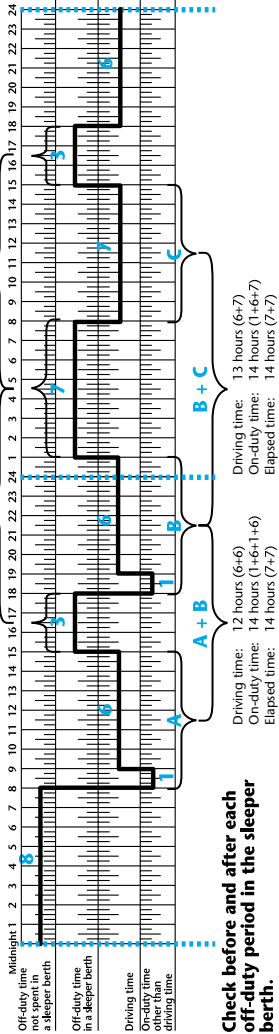
- hours of off-duty time are not deferred to the following day;
- periods of off-duty time are at least **2 hours** long;
- the total of both periods is at least **10 hours**;
- the hours of off-duty time are spent in the sleeper berth;
- the driver takes at least **10 hours** of off-duty time and **stops driving** after accumulating **13 hours** of driving or **14 hours** of on-duty time in one day;
- the driver takes into consideration the duty status before and after each split period of off-duty time and **stops driving**:
 - after accumulating **13 hours** of driving time,
 - after accumulating **14 hours** of on-duty time, or
 - if **16 hours** have elapsed.

An example is provided on the next page of a driver who is traveling alone and splits off-duty hours in a sleeper berth in a way that does not comply with the Regulation.

Daily requirements:



Splitting of off-duty hours in the sleeper berth:



Check before and after each off-duty period in the sleeper berth.

A driver travelling in a team can use the sleeper berth of the vehicle to split hours of off-duty time **into two periods**, if the following conditions are met:

- hours of off-duty time are not deferred to the following day;
- periods of off-duty time are at least **4 hours** long;
- the total of both periods is at least **8 hours**;
- hours of off-duty time are spent in the sleeper berth;
- in addition to the **8 hours** of split off-duty time, the driver takes an additional **2 hours** of off-duty time;
- the driver takes at least **10 hours** of off-duty time and **stops driving** after accumulating **13 hours** of driving or **14 hours** of on-duty time in one day;
- the driver takes into consideration the duty status before and after each split period of off-duty time and **stops driving**:
 - after accumulating **13 hours** of driving time,
 - after accumulating **14 hours** of on-duty time,
 - or
 - if **16 hours** have elapsed.

An example is provided on the next page of splitting hours of off-duty time in a sleeper berth, in the case of a team of drivers, that does not comply with the Regulation.

Emergencies

In the event of an **emergency**, a driver may exceed the authorized hours of driving time and on-duty time and reduce the mandatory hours of off-duty time in order for the occupants of the heavy vehicle to reach a safe destination, or to ensure the safety of other road users or the security of the heavy vehicle and its load.

Such actions are permitted in exceptional circumstances where a driver must take immediate action. A situation is no longer deemed an emergency or a hazard once the driver finds the nearest safe haven for the vehicle or its passengers or freight. There is no limit to the number of hours in this case.

Adverse driving conditions

A driver who during a trip encounters adverse driving conditions that cause a delay may extend the hours of driving time and on-duty time permitted by 2 hours if:

- the driver has not taken 2 hours of off-duty time in addition to the 8 consecutive hours of off-duty time;
- the trip could have been completed under **normal driving conditions**.

Adverse driving conditions are adverse road or weather conditions that were not known to the driver or dispatcher before the driver began driving or could not reasonably have been known to them. Such unforeseen events must also be related to road, weather or traffic conditions.

For example, a traffic build-up due to an unforeseen event, such as an accident that occurred after a driver left, falls within the definition of an unforeseen road or traffic condition. However, traffic build-up during rush hour or a mechanical failure are not unforeseen road or traffic conditions. A snowstorm or icy road conditions are unforeseen road or traffic conditions, as long as these conditions were not known or could not have reasonably been known to the driver or dispatcher prior to the vehicle's departure.

Towing

A driver of a tow truck may exceed the authorized hours of driving time and on-duty time and reduce the mandatory hours of off-duty time in order to finish towing a vehicle stopped on a public road and return to the home terminal, as long as the following conditions are met:

- The driver can reach the location of the breakdown or accident under normal road conditions in accordance with the hours prescribed in the Regulation.
- The driver does not travel more than 160 km from the towing location to the home terminal.

Winter road maintenance

A driver is allowed to drive up to 15 hours per work shift where, in order to protect the public, it is necessary to plow a public road due to snow accumulation or spread abrasives or ice melting products.

The driver can choose one of two options.

Option 1

The driver can **defer 2 hours** of off-duty time that are not part of the mandatory 8 consecutive hours and **add** them to the 8 consecutive hours of off-duty time taken at the end of the first, second or third work shift. Two hours of off-duty time can be deferred for two consecutive work shifts.

Option 2

The driver can **defer 2 of the 8 consecutive hours** of off-duty time that are taken at the end of the work shift and **2 hours of off-duty time** that are not included in the mandatory 8 consecutive hours and **add** them to the 8 consecutive hours of off-duty time taken at the end of the second work shift. This time can be deferred for only one work shift.

Once one option has been chosen, the driver cannot use the other option before the end of the third work shift. Regardless of which option is chosen, a driver must comply with the following conditions:

- The driver **must stop driving** after accumulating **16 hours of on-duty time** or when **16 hours have elapsed** since the work shift began.
- The driver must take **at least 8 consecutive hours of off-duty time before beginning the first work shift.**
- The driver must not split the hours of off-duty time **in the sleeper berth.**
- A total of **at least 30 hours** of off-duty time must be taken **during the THREE-DAY PERIOD** that includes the **three work shifts.**
- The total number of driving hours **during these THREE WORK SHIFTS must not exceed 39 hours.**
- The driver must indicate in the record of duty status that off-duty hours are being deferred by indicating which option is chosen and if this is the first, second or third work shift.

Illustration of Option 1

In this example, a driver has chosen to drive for 15 hours over the course of two consecutive work shifts and to add the deferred hours of off-duty time to the period immediately following the third work shift.

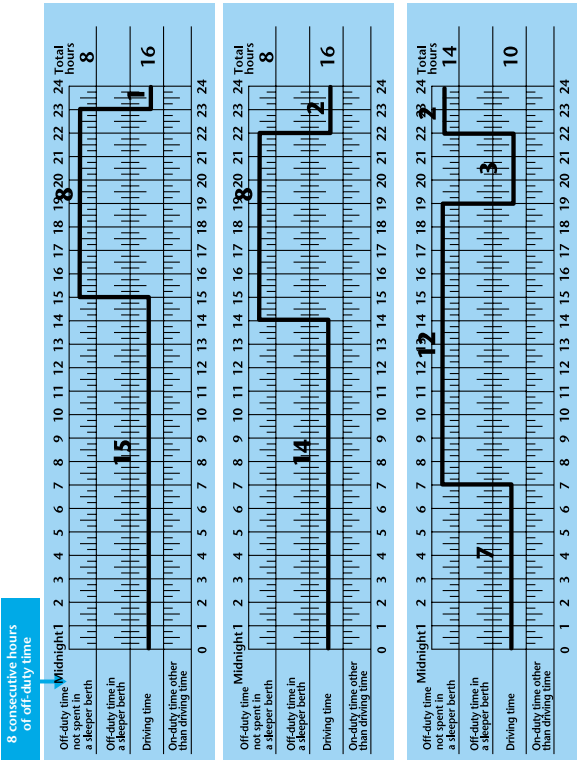
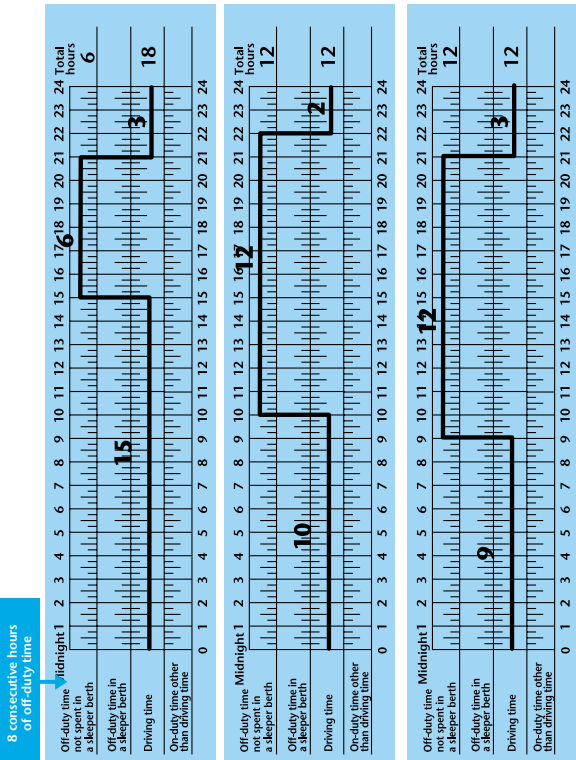


Illustration of Option 2

In this example, a driver drove for 15 hours during a work shift and reduced the number of consecutive hours of off-duty time at the end of the first work shift to 6 consecutive hours. The driver must add the deferred hours of off-duty time to the 8 consecutive hours at the end of the second work shift, and is therefore required to take 12 consecutive hours of off-duty time.



Ferries

A driver who travels on a ferry where the expected duration of the trip is **longer than 5 hours** is not required to take 8 consecutive hours of off-duty time, as long as the following conditions are met:

- The driver takes a total of at least 8 hours of off-duty time in the sleeper berth while awaiting boarding, in a ferry cabin or in a location no more than 25 km away from the disembarking point.
- The driver enters these hours in the record of duty status as being off-duty hours in the sleeper berth.
- The driver keeps the receipt of payment for the ferry service and cabin fees.

Electronic logging devices (ELDs)

Operators must ensure that every heavy vehicle under their responsibility is equipped with an ELD that meets the requirements of the Technical Standard, except in the case of:

- a vehicle that is leased under a rental agreement of not longer than 30 days, and the agreement in question was not an extension or renewal of a previous rental agreement for the same vehicle;
- a vehicle manufactured before the 2000 model year;

- a vehicle that is being driven in order to be delivered:
 - to the owner's home terminal following a transfer of ownership,
 - to the lessee,
 - to the lessor during or upon the expiry of the rental agreement,
 - to a branch of a vehicle rental company for an inventory adjustment;
- a vehicle that is being driven in order to be delivered in one of the above cases and that is not loaded or hitched;
- a vehicle that is being driven in order to be delivered in one of the above cases and that is transporting one or more vehicles that are also being delivered using the saddle-mount method;
- a vehicle that is being driven within the first 5 days of its delivery following a transfer of ownership and that is not hitched or loaded;
- a new vehicle that is being driven in order to be delivered to a company to complete its manufacturing or make it comply with the use for which it is essentially intended, or that is being returned to the owner following such an operation;
- a vehicle that is being driven within a 160 km radius of the driver's home terminal, provided the driver also returns to the home terminal each day;
- a situation where a driver operating the vehicle within a 160 km radius of the home terminal is unable to return to the home terminal the same day due to adverse driving conditions.

Example:

Peter drives a heavy vehicle that does not have to be equipped with an ELD given that he travels within a 160 km radius of his home terminal and returns there each day. However, the road he needs to take has just been closed because of a snowstorm. As a result, he cannot return to his home terminal by the end of the day.

Other obligations (ELDs)

If an operator authorizes a driver to perform yard manoeuvres off a public road within a terminal, depot or port, the operator must ensure that the ELD has been configured so that the driver is able to indicate those manoeuvres.

The operator must create and maintain a system of accounts for ELDs that is in compliance with the Technical Standard. This system must allow each driver to keep their records of duty status in a separate, personal account and provide for a separate account for the hours of service of an unidentified driver.

Information packets (ELDs)

The operator must ensure that each heavy vehicle it operates and that is equipped with an ELD carries an information packet containing a current version of the following documents:

- a user manual;
- an instruction sheet for the driver describing the types of data transfer supported by the ELD and the steps required to generate data relating to the driver's hours of service and then forward that data to a peace officer;
- an instruction sheet for the driver describing the measures to take should the ELD malfunction; and
- a sufficient number of records of duty status in paper form to allow the driver to record their duty status for at least 15 days.

Recommendation: If the manual and instruction sheets are in electronic form, they should be kept on a device other than the ELD because they will not be accessible should the ELD malfunction.

Malfunction codes (ELDs)

If a driver becomes aware of the fact that the ELD is displaying a malfunction code, the driver must notify the operator as soon as the vehicle is parked.

Note: “Data diagnostic” codes are not malfunction codes.

The operator must repair or replace the ELD within 14 days after the day on which it was notified of the malfunction code by the driver or otherwise became aware of it, or at the latest upon the driver’s return to the home terminal, if the driver is expected to return after the 14-day period.

The operator must maintain a register of the malfunction codes displayed on the ELDs installed or used in the heavy vehicles it operates. The register must contain the following information:

- the name of the driver who noticed the malfunction code;
- the name of each driver who used the vehicle between the time the malfunction code was noticed and the time the ELD was repaired or replaced;
- the make, model and serial number of the ELD;
- the licence plate number or vehicle identification number of the vehicle in which the ELD was installed or used;

- the date the malfunction code was noticed and the location of the vehicle on that date, as well as the date the operator was notified or otherwise became aware of the code;
- the date the ELD was replaced or repaired;
- a concise description of the actions taken by the operator to repair or replace the ELD.

Operators must keep the above information for a period of 6 months following the date on which the ELD that had displayed the malfunction code was replaced or repaired.

Records of duty status

Responsibilities

Drivers must complete a record of duty status detailing their hours of service and rest, regardless of whether or not they must use an ELD to do so. Time must be entered based on the time zone of the home terminal.

Example of a record of duty status that complies with the Regulation:

Record of Duty Status

Day: 07 Month: 08 Year: 2023 Odometer reading Start of day: 195 648 Odometer reading End of day: 196 413 Distance driven: 765

Start of the day (if different than midnight):

Cycle 1: 7 days Cycle 2: 14 days

Truck/tractor: license plate number: L-12345 Unit number on the registration certificate:

Operator: ABC Transport inc. Address of the operator's establishment: 1464 boul. de la Sécurité, Québec, G1K 8J6 Home terminal address: 1464 boul. de la Sécurité, Québec, G1K 8J6

Duty status

Duty status	Midnight	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total hours
Off-duty time not spent in a sleeper berth	2	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	10	
Off-duty time in a sleeper berth																										
Driving time					4	4	4	4	4	4	5	5	5	5	5	5	5	5	5	5	5	5	5	5	13	
On-duty time other than driving time	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
Remarks:																								24		

Driver's name: **John B. Goode** Driver's signature: *John B. Goode* Co-driver's name:

Legend:

- Beginning of the day
- During the day
- At the end of the day

The starting time of the record of duty status is also the beginning of the day.

Records of duty status produced using an ELD

Operators must require that their drivers record all the information associated with the records of duty status using an ELD. Drivers must comply with this requirement.

Drivers must record the following information:

- the date;
- the driver's name and, if the driver is a member of a team of drivers, the names of the co-drivers;
- the identification code assigned to the driver;
- the time the driver's day begins if different than midnight;
- the cycle that the driver follows;
- the motor vehicle's licence plate number or the unit number entered on the registration certificate;
- the name of the operator, the address of the home terminal and the address of the establishment of the operator that employed the driver or otherwise engaged the driver's services;
- the description of the heavy vehicle's location, if it is not automatically drawn from the ELD's geo-location database;

- if the driver was not required to keep a record of duty status immediately before the beginning of a given day, the number of hours of rest and hours of service that were accumulated by the driver during each day the driver was not subject to that requirement over the 14 days leading up to the beginning of the day in question;
- if applicable, the reasons for exceeding the authorized number of hours of driving or on-duty time, or for deferring hours of rest in accordance with the Regulation;
- if the driver worked for more than one operator during the day in question or at any time during the previous 14 days:
 - the number of hours associated with each duty status and the time at which each 16-hour period began and ended for each of the 14 days leading up to the beginning of the day in question,
 - the time at which each duty status began and ended during the day in question, up until the time at which the driver began using the ELD;
- if, during the day, the driver noticed the appearance of any of the malfunction codes listed in Table 4 of Schedule 2 to the Technical Standard:
 - the malfunction code,
 - the date and time at which the malfunction code was noticed, and
 - the time at which the driver notified the operator of the malfunction code;
- any annotation necessary to complete the record of duty status.

At the end of the day, drivers must certify the accuracy of the record of duty status using the features of the device intended for that purpose.

Records of duty status that are not produced using an ELD

In the case of drivers who are not required to prepare their records of duty status using an ELD, or who are unable to do so because of a device malfunction, the records of duty status must be prepared using any other means, whether electronic or not.

Between the beginning of the day and the first period of driving, drivers must enter the following information in the record of duty status:

(see entries that appear in black in the example provided above)

- the date;
- the driver's name;
- the names of all co-drivers when working in a team;
- the time the day starts, if other than midnight;
- the cycle that the driver follows;
- the licence plate number of the motor vehicle or the unit number indicated on the vehicle registration certificate;
- the motor vehicle's odometer reading;
- each duty status between the beginning of the day and setting off on the road (this is done by tracing an appropriate line on the duty status grid);
- the operator's name, the address of the home terminal and the address of the establishment of the operator that employs the driver or has otherwise retained the driver's services;

- if the driver was not required to keep a record of duty status immediately before the beginning of the day, the number of hours of rest and hours of service that were accumulated by the driver during each day the driver was not subject to that requirement over the 14 days leading up to the beginning of the day;
- if applicable, the reasons for exceeding the authorized number of hours of driving and on-duty time, or for deferring hours of rest.

In the example of a duty status grid provided above, the driver has drawn a line from midnight to 2:00 a.m. in the “Off-duty time not spent in a sleeper berth” section, and another line from 2:00 a.m. to 3:00 a.m. in the “On-duty time other than driving time” section. The driver also entered the place of departure (Québec City) in the record of duty status.

During the day, drivers must do the following: (see entries that appear in light blue in the example provided above)

Complete the duty status grid, as follows:

- Use a solid line to indicate the hours devoted to each duty status during the day.
- Enter the name of the municipality or, if unavailable, the road and distance marker (in kilometres or miles), as well as the province, territory or state where the change of duty status took place.
- Provide, if applicable, the reasons for exceeding the authorized number of hours of driving or on-duty time (use the space reserved for remarks).

Enter the following information in the record of duty status:

- the name and address of the home terminal and establishment of any other operator who employs the driver or has retained the driver's services;
- the licence plate number or the unit number indicated on the vehicle registration certificate of any other motor vehicle the driver uses, along with the odometer reading for that vehicle;
- if applicable, the malfunction code that justifies producing a record of duty status otherwise than by using an ELD.

The above example shows that the driver arrived in Trois-Pistoles at 7:00 a.m., and then rested until 8:00 a.m.

Important: Drivers must update the duty status grid to adjust the line appropriately each time there is a change of duty status.

Drivers must always indicate the place where each change of duty status occurs in the record of duty status.

At the end of the day, drivers must do the following:

(see entries that appear in dark blue in the example provided above)

- Enter the total number of hours devoted to each duty status (off-duty time not spent in a sleeper berth, off-duty time in a sleeper berth, driving time, on-duty time other than driving time).
- Calculate the distance driven that day by subtracting any distance traveled while using the vehicle for personal reasons.

- Enter the odometer reading at the end of the day.
- Sign the record of duty status.

Exemption from completing a record of duty status

Drivers who meet **all of the following conditions** are not required to fill out a record of duty status:

- They operate within a radius of 160 km of their home terminal.
- They return to their home terminal each day to take at least 8 hours of off-duty time.
- The vehicle they are driving is not covered by a permit to depart from the regulatory requirements governing hours of driving and off-duty time.
- The operator meets **any** of the following requirements:
 - It keeps up-to-date registers that indicate, for each day, each duty status of the driver, the cycle the driver follows, the time at which each duty status started and ended, the total number of hours associated with each duty status and, where applicable, the reasons for exceeding the authorized number of hours of driving or on-duty time, or for deferring off-duty time.
 - It keeps a written record of the date and of the time a day begins (if other than midnight), the cycle the driver follows, the time at which the driver's work shift starts and ends, and the driver's total number of hours of on-duty time during the day, where all of the following conditions are also met:

- the work shift **begins and ends on the same day**,
- the work shift lasts **no more than 13 hours**,
- the length of the off-duty period before and after the work shift is **at least 11 consecutive hours**.

VERY IMPORTANT: Drivers who are not required to fill out a record of duty status must nonetheless comply with the requirements governing the number of hours of driving, on-duty time and off-duty time.

Particularities of the record of duty status

Trips with two drivers

Each record of duty status can only be completed for a single driver. As a result, if there are two drivers for the same trip, each driver must complete their own record of duty status and enter the name of the co-driver.

Change of day

If drivers drive during a change of day, they must make a note of or memorize the odometer reading and enter this information in the record of duty status at the next stop. Drivers use this information to calculate the distance traveled during the day that has ended and to enter the odometer reading for the day that is beginning in a new record of duty status.

Multiple stops

Some trips require drivers to make multiple stops close together within a municipality to pick up or deliver goods. In such cases, tracing the duty status on the grid can be complex when an ELD is not used.

It is possible to group together hours of driving and hours of on-duty time (other than driving time) in the following manner:

- Halfway through the trip or day—at lunch time, for example—the driver adds together all the time spent stopping to make pickups and deliveries and enters the total by means of a solid line in the “on-duty time other than driving time” section of the duty status grid. In the example that follows, the driver was on duty but not driving for 2 hours and 15 minutes in the morning, more specifically from 4:00 a.m. to 6:15 a.m.
- The same principle applies for driving. A driver adds together the time devoted to driving and traces a solid line in the “driving time” section. In the example provided, the driving time for the morning is 3 hours and 30 minutes, more specifically from 6:15 a.m. to 9:45 a.m. It is extremely important to always indicate the hours of on-duty time other than driving time before the hours of driving time.
- By the time the driver returns to work in the afternoon, each duty status for the morning should be entered in the duty status grid. The driver must enter each duty status for the rest of the day at the end of the day, taking care to indicate the hours of on-duty time other than driving time before the hours of driving time, and then completing the record of duty status for the day.

Multiple stops:

Record of Duty Status

07 08 2023
Day Month Year

Start of the day
(if different
than midnight)

195 648

Start of day

195 993

Odometer reading

345

Distance driven

- Cycle 1: 7 days
 Cycle 2: 14 days

L-12345

Truck/tractor: Licence plate number

Unit number on the registration certificate

ABC Transport inc.

Address of the operator's establishment

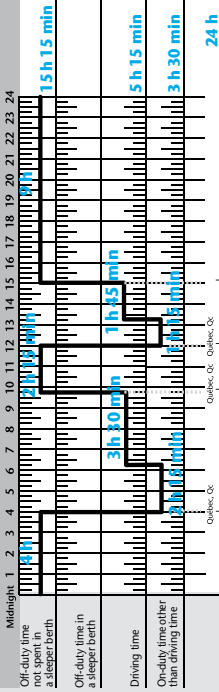
1464 boul. de la Sécurité Québec G1G 3N1

1464 boul. de la Sécurité Québec G1G 3N1

Home terminal address

Duty status

Total hours



Remarks:

John B. Goode

Driver's name

John B. Goode

Driver's signature

Codriver's name

Days off

Days off must be entered in the record of duty status. There are a number of methods to make entering this information easier.

ELDs automatically enter this information in the duty status grid they produce. These devices can also be used to manually enter hours of on-duty time and rest when drivers are not required to complete a record of duty status.

However, when records of duty status are produced on paper, or when a device other than an ELD is used to keep track of driving time, days off can be entered in the record of duty status using either of the methods described below, which are the two most common ones.

To illustrate these two methods, we can take the example of a driver named Helen, who takes 2 consecutive days off on October 4 and 5:

1st method: Using a single record of duty status, Helen draws a solid line covering 24 hours in the “Off-duty time not spent in a sleeper berth” section of the duty status grid. She writes “Off on October 4 and 5” in the “Remarks” section of the record of duty status and then signs the record.

2nd method: Given that Helen returns to work on October 6, she must fill out a record of duty status for that day. Before starting her work shift on October 6, she writes “Off on October 4 and 5” in the “Remarks” section of the record of duty status.

Drivers who occasionally travel outside the 160 km radius

Drivers who **occasionally travel outside the 160 km radius are required to fill out a record of duty status for each day where this is the case.** Their vehicles must also be equipped with an ELD if they do not meet the requirements for exemption from the obligation to use such a device. In cases where drivers were not required to keep a record of duty status immediately before the beginning of the day in which they traveled outside the 160 km radius, they must also enter the number of hours of rest and hours of service that were accumulated during each day they were not subject to that requirement over the 14 days leading up to the beginning of the day in question.

Driver who occasionally travels outside the 160 km radius

Record of Duty Status

07 08 2023
Day Month Year

Start of the day
(if more than midnight)

195 648
Odometer reading
Start of day

196 413
Odometer reading
End of day

765
Distance driven

- Cycle 1: 7 days
 Cycle 2: 14 days

L-12345

Use number on the registration certificate

Tractor/trailer licence plate number

1464 boul. de la Sécurité Québec C1G 3N1

1464 boul. de la Sécurité Québec C1G 3N1

Home terminal address

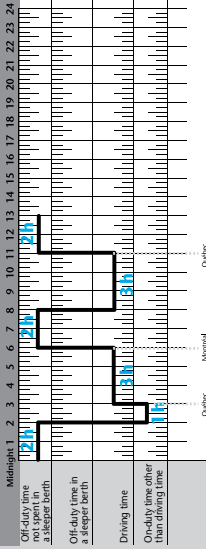
1464 boul. de la Sécurité Québec C1G 3N1

Address of the operator's establishment

ABC Transport inc.

Operator

Duty status



Remarks:

John B. Goode

Driver's name

John B. Goode

Driver's signature

John B. Goode

Co-driver's name

14 PRECEDING DAYS

Dates	1	2	3	4	5	6	7	8	9	10	11	12	13	14
Total hours of on-duty time	10	10	10	10	10	10	10	10	10	10	10	10	10	10
Total hours of off-duty time	24	14	14	14	14	14	24	14	14	14	14	14	14	24

Drivers who do not return to their home terminal

Drivers are required to fill out a record of duty status if during the day they travel within a 160 km radius but **do not return to their home terminal** to begin their 8 consecutive hours of off-duty time, even if the operator keeps a register. Their vehicles must also be equipped with an ELD if they do not meet the requirements for exemption from the obligation to use such a device.

Example:

John is a driver whose home terminal is in Québec City. On Monday, he leaves to go to work until Friday in Trois-Rivières (which is within a 160 km radius of his home terminal). When John arrives in Trois-Rivières, he goes to the local office that will be his home terminal until Friday, then makes deliveries within a 160 km radius of this office. John goes to this office in the morning and returns there at the end of the workday. The operator keeps a register of John's hours.

Record of duty status requirements

Monday and Friday: John **must fill out** a record of duty status using an ELD (unless he is exempt from using such a device), because he does not return to the same home terminal at the end of the day.

Tuesday, Wednesday and Thursday: John **is not required to fill out** a record of duty status because he travels within a 160 km radius of the home terminal from which he left at the beginning of the day and returns to the same home terminal at the end of the day, and because the operator keeps a register.

Note: An operator may choose to continue to use an ELD even when not required to do so.

More than one record of duty status for the same day

The *Highway Safety Code* prohibits drivers from keeping more than one record of duty status for the same day, except where authorized by regulation.

Drivers may keep more than one record of duty status for the same day in the following situations:

- A driver drives a vehicle that is required to be equipped with an ELD after driving a vehicle that is not, or vice versa.
- At a given point during the day, the vehicle a driver is driving ceases to be subject to the requirement to be equipped with an ELD because it has been sold (this is the case, for example, when a driver delivers a vehicle to the new owner after it has been sold).

- A driver notices while driving that the ELD of the vehicle is displaying one of the malfunction codes listed in Table 4 of Schedule 2 to the Technical Standard.
- A driver starts working for another operator and the record of duty status in connection with the vehicle driven for one or the other of the operators is produced by electronic means.

Summary report: a useful tool

Although drivers are not required to use the summary report, it can be a useful tool. It enables drivers to determine at the start of each day the number of hours they can drive that day, by taking into account their hours of on-duty time from the previous days. The number of days that must be taken into account depends on the cycle the driver is following and whether the cycle has been reset.

In the following example, Ahmed is a driver who initially followed **Cycle 1** (70 hours of on-duty time/7 days), but then decided to change to **Cycle 2** (120 hours of on-duty time/14 days).

Month	1	2	3	4	5	
	Date	Hours worked	Total hours worked		Hours available for the current day	
			Cycle 1 Last 6 days	Cycle 2 Last 13 days		
April	25	12				
	26	12				
	27	0				
	28	12				
	29	12				
	30	7				
May	1	12	55		15	
	2	8	55		15	
	3	8	51		19	
	4	10	59		11	
	5	12	57		13	
	6	0	57		13	
	7	0				
	8	11			0*	120
	9	11			11	109
	10	12			22	98
	11	12			34	86
	12	12			46	74
	13	10			58	62
	14	0**			68	52
15	12			68	52	
16	12			80	40	
17	12			92	28	
18	12			104	16	
19	4			116	4	
20				120	0	

* On May 8, the hours of on-duty time were reset to zero after Ahmed took 36 hours of off-duty time, as required to **end Cycle 1**.

** On May 14, Ahmed started **Cycle 2** after taking 24 consecutive hours of off-duty time in order to meet the second condition of **Cycle 2**: a driver cannot drive after accumulating 70 hours of on-duty time without taking 24 consecutive hours of off-duty time.

Meaning of the columns in the example

1. **Column 1** indicates the day of the month. In the example, the dates cover the end of April and the beginning of May.
2. **Column 2** indicates the on-duty time (including driving hours) for each day. The first 6 entries in **Column 2** indicate the hours of on-duty time for the last six days of April.

The remaining entries in this column indicate the on-duty time for each corresponding day (May 1, 12 hours; May 2, 8 hours; etc. up to May 18 where 12 hours of on-duty time are indicated).

3. **Column 3** is used when a driver follows **Cycle 1**. It serves to keep track of on-duty time for the **6 previous days**, unless the driver has started a new cycle and fewer than 6 days have gone by since the start of that cycle. In the above example, on May 1, Ahmed had accumulated a total of 55 hours of service in the 6 previous days (from April 25 to April 30, inclusive).

4. **Column 4** is used when a driver follows **Cycle 2**. It serves to keep track of on-duty time for the **13 previous days**, unless the driver has started a new cycle and fewer than 13 days have gone by since the start of that cycle.

In the above example, Ahmed started to follow **Cycle 2** on May 8. On that date, his hours of on-duty time were reset to zero because he had taken at least 36 consecutive hours of off-duty time in order to **end Cycle 1**. He began accumulating hours of on-duty time once again on May 8. At the beginning of the next day (May 9), Ahmed had accumulated

a total of 11 hours of on-duty time, i.e. the time worked on May 8.

5. **Column 5** indicates the on-duty time available for the current day in accordance with the rules concerning the hours in a cycle.

In the above example, Ahmed initially followed **Cycle 1**. He was therefore required to subtract the total number of hours of on-duty time accumulated over the previous six days from 70 hours.

May 1: 70 hours – 55 hours (column 3) = 15 hours of on-duty time available in the cycle.

May 3: 70 hours – 51 hours (column 3) = 19 hours of on-duty time available in the cycle.

On May 6 and 7, Ahmed took at least **36 consecutive hours of off-duty time**, which allowed him to either restart Cycle 1 or switch to Cycle 2 (in the example, Ahmed chose to follow Cycle 2). **The on-duty time was reset to zero** and Ahmed began Day 1 of the new cycle, and started accumulating on-duty time once again.

May 8: 120 hours – 0 (Column 4) = 120 hours of on-duty time available.

When following Cycle 2, a driver cannot drive after accumulating 70 hours of on-duty time without having taken 24 consecutive hours of off-duty time. In this example, Ahmed took these off-duty hours on May 14.

Documents to be kept in the vehicle

Drivers must keep the following documents in their vehicles at all times:

- a copy of the records of duty status for the 14 previous days;
- the current record of duty status, completed up to the time of the most recent change of duty status, and in cases where more than one record of duty status is authorized and being produced, the other records of duty status for the same day;
- supporting documents related to the trip;
- the information packet for the ELD, where the vehicle is required to be equipped with such a device.

Submitting documents

Drivers have to submit the original copy of the completed record of duty status and supporting documents to the home terminal within 20 days.

Drivers who are hired by more than one operator during the day must submit:

- the original of the record of duty status to the home terminal of the first operator for which the driver worked or, if more than one record of duty status is produced, the original of each record of duty status to the home terminal of the applicable operator, and a copy of that record to the home terminal of every other operator for which the driver worked; and
- the original copies of supporting documents to the home terminal of the applicable operator.

Operators must keep all of these documents at their establishment and have 30 days from the date of receipt to file them at their establishment.

Submitting documents to peace officers

Drivers:

A peace officer may request that a driver make available or forward to the peace officer, in their existing format, the driver's records of duty status for the current day and the 14 preceding days, the supporting documents for the current trip and, if applicable, a copy of the permit authorizing a departure from the requirements governing hours of driving and off-duty time.

To make a technology-based document available, the driver may produce either a display or a printout of the document. To forward such a document, the driver may do so either by email or, if the document is produced using an ELD, by the technological means and in the form determined by the peace officer.

When drivers are unable to forward their technology-based records of duty status by electronic means, they must enter the information they contain on records of duty status in paper form.

Operators:

A peace officer may request that an operator make available or forward to the peace officer the required documents, records or registers at the place the peace officer indicates.

To make a technology-based document, record or register available, the operator may produce either a display or a printout of the document, record or register.

To forward such a document, record or register, the operator must send it by the technological means and in the form determined by the peace officer from among those available to the operator.

Out-of-service orders

A peace officer who issues a “driver” out-of-service order must notify the driver and operator in writing of the reason for issuing the order and its duration. An out-of-service order has a specific duration based on the situation, as follows:

The number of hours necessary to rectify a violation

- The driver has failed to comply with one of the requirements governing hours of off-duty time or the conditions of the permit authorizing a departure from the requirements governing hours of driving and off-duty time.

10 hours

- The driver’s faculties are impaired to the point where it is dangerous to drive.
- The driver has driven more than 13 hours or has accumulated 14 hours of on-duty time in one day.

72 hours

- The driver refuses or cannot produce, for a peace officer or an inspector, records of duty status, supporting documents or any other record or register the driver is required to have on hand.

- Evidence proves that the driver has filled out more than one record of duty status covering the same period, has entered inaccurate information in the record or has falsified information.
- The driver has defaced or rendered illegible a record of duty status or supporting document to the point where a peace officer cannot determine if it complies with the requirements governing hours of driving and off-duty time or with the conditions of the driver's permit authorizing a departure from the requirements governing hours of driving or off-duty time.
- The driver uses an ELD that has had its capacity to transmit data or receive a signal disabled, deactivated, blocked or otherwise degraded, or the driver uses an ELD that has been re-engineered, reprogrammed or otherwise altered so that it does not accurately record and retain the data as required, resulting in an incapacity on the part of the peace officer to establish in such a case whether the driver has complied or not with the requirements governing hours of driving and off-duty time or with the conditions of the driver's permit authorizing a departure from the requirements governing hours of driving or off-duty time.

More than 72 hours

- Until the driver corrects the record of duty status, where necessary, and submits it to a peace officer so that the peace officer can determine if the driver has complied with the requirements of the Regulation.

Driver's record

An operator and anyone who supplies the services of a driver must maintain and preserve a file containing the following information and documents:

- a copy of the driver's licence;
- a statement signed by the driver, providing notice of a licence suspension, change or revocation, where applicable;
- the date the driver was hired;
- a copy of the service contract entered into between the person who supplies the services of the driver and the operator;
- the records of duty status and the information that must be kept in the applicable registers;
- a copy of the permit authorizing a departure from the requirements governing hours of driving and off-duty time;
- supporting documents.

An operator who leases the services of a driver must maintain and preserve, for each individual driver, a copy of the service contract signed between the person who supplies the services of the driver and the operator, the records of duty status, the information that must be kept in the applicable registers, and supporting documents.

Other documents

Operators must keep the records of duty status of unidentified drivers for 6 months when a vehicle is equipped with an ELD.

Operators must keep data in the register of ELD malfunction codes for a period of 6 months.

Periods for keeping documents

Documents	Holders	Period for keeping documents*
A copy of the driver's licence	The operator, in the case of drivers directly employed by the operator The person who supplies the services of a driver	At least 12 months after the date the driver's contract ends
Where applicable, the statement signed by the driver, indicating a licence suspension, change or revocation	The operator, in the case of drivers directly employed by the operator The person who supplies the services of a driver	At least 12 months after the date the licence was changed or the licence suspension or revocation ended
A document providing the date the driver was hired	The operator, in the case of drivers directly employed by the operator The person who supplies the services of a driver	At least 12 months after the date the driver's contract ends
A copy of the service contract signed between the person who supplies the services of a driver and the operator	The operator, in the case of drivers whose services are leased by the operator The person who supplies the services of a driver	At least 12 months after the date the driver's contract ends

Documents	Holders	Period for keeping documents*
A copy of the permit authorizing a departure from the requirements governing hours of driving and off-duty time	The operator, in the case of drivers directly employed by the operator	At least 6 months after the permit's expiry date
The records of duty status and the information that must be kept in the applicable registers	The operator, in the case of drivers whose services are leased by the operator The person who supplies the services of a driver	At least 6 months as of the date of the record of duty status or register
Supporting documents	The operator, in the case of drivers whose services are leased by the operator	At least 6 months as of the date on the documents
The register of ELD malfunction codes	The operator, for all ELDs the operator uses	At least 6 months as of the date a malfunction code appears in the register
The records of unidentified drivers	The operator, for all unassigned hours on an ELD The person who supplies the services of a driver	At least 6 months as of the date of the unassigned hours

* Other programs or bodies may require that documents and records be kept for longer periods (e.g. the International Registration Plan (IRP) or Revenu Québec).

Appendix 1 – Sleeper Berth

A sleeper berth must meet the following requirements:

- It is designed for use as sleeping accommodations.
- It is located within the cab interior or immediately beside the cab and is firmly secured to the cab.
- It is not mounted on a semi-trailer, trailer or within these types of vehicles.
- If it is mounted in the cargo space, it is securely compartmentalized from the remainder of the cargo space.
- **Where the vehicle is a bus:**
 - It is located in the passenger compartment.
 - It is fitted with a bed measuring at least 1.9 m in length, 60 cm in width and 60 cm in height.
 - It is separated from the passenger area by a solid material barrier that is fitted with a door that can be locked.
 - It ensures the privacy of the occupant.
 - It is equipped with a device that can be used to block out most of the light that enters the compartment.
- **Where the vehicle is a heavy vehicle other than a bus,** it is fitted with a rectangular bed that is at least:
 - 1.9 m long;
 - 60 cm wide;
 - 60 cm high.

- Its design allows an individual to enter and exit easily.
- There is a direct and easy way to move from the sleeper berth to the driver's seat or position.
- It is protected against leaks and overheating from the vehicle's exhaust system.
- It is equipped to provide adequate heating, cooling and ventilation.
- It is sealed adequately to protect from dust and rain.
- It contains a mattress at least 10 cm thick, blankets and sheets or a sleeping bag.
- If a driver is travelling with a team, the bed must be equipped with a device that prevents an occupant from being ejected when the heavy vehicle brakes.

Summary of Exemptions

As a rule, do I have to comply with hours of driving and rest requirements?

NO

I am driving:

- a heavy vehicle for personal purposes;
- an emergency vehicle;
- a tool vehicle;
- a farm tractor or farm machinery;
- an urban transit bus for a public transit corporation;
- a combination of vehicles where each vehicle has a GVWR of less than 4,500 kg;
- a vehicle with a GVWR of less than 4,500 kg transporting dangerous substances that does not require the display of hazard placards;
- a straight-body truck with 2 or 3 axles, used to transport primary products, if the operator of the truck is the producer of the products (on the return trip the truck must be unladen or must be carrying only goods that go into operating the farm, forest or fishery).

Do I have to take into account the time spent driving these exempted vehicles?



The time spent driving the above vehicles must always be included in the hours of work when the vehicle is driven for an operator.

NO

The vehicle I am driving:

- was manufactured before the 2000 model year;
- has been leased for 30 days or less and the lease has not been extended or renewed;
- is driven within a 160 km radius of my home terminal, but while I normally return to my home terminal each day, I am unable to do so because of adverse driving conditions;
- is being driven in order to be delivered:
 - > to the owner's home terminal following a transfer of ownership,
 - > to the lessee,
 - > to the lessor during or upon the expiry of the rental agreement,
 - > to a branch of a vehicle rental company for an inventory adjustment;
- is being driven in order to be delivered in any of the above cases and is neither loaded nor hitched;



I am still required to complete a record of duty status, but may do so using another medium, such as a paper record or software that is not a certified ELD.

YES

- I am driving:
- a heavy vehicle with a GVWR of 4,500 kg or more;
 - a combination of vehicles where one of the vehicles has a GVWR of 4,500 kg or more;
 - a vehicle or combination of vehicles transporting dangerous substances that requires the display of hazard placards;
 - a bus that does not belong to an urban public transit corporation;
 - a school bus or minibus.

Do I have to complete a record of duty status?

NO

- The operator keeps a register in which it enters my hours.
- I drive within a 160 km radius of my home terminal.
- I return to my home terminal at the end of each day to begin a minimum of 8 consecutive hours of rest.

YES

- I have a permit authorizing a departure from the requirements governing driving and off-duty time.
- I drive beyond a 160 km radius from my home terminal.
- I do not return to my home terminal at the end of the day.
- My operator does not keep a register.

Do I need to use an ELD to produce the record of duty status?

YES

- is being driven in order to be delivered in any of the above cases and is using the saddle mount method to transport one or more other vehicles that are also part of the delivery;
- is being driven within the first 5 days of its delivery following a transfer of ownership and it is neither loaded nor hitched;
- is a new vehicle and is being delivered to a company to complete its manufacturing or make it comply with the use for which it is essentially intended, or is being returned to the owner following such an operation.

- I drive beyond a 160 km radius from my home terminal.
- I do not return to my home terminal at the end of each day to begin at least 8 consecutive hours of off-duty time.

Appendix 2 - List of Requirements, Offences and Fines

Obligations of Drivers

Drivers must not drive:

- if their faculties are impaired to the point where it is unsafe to drive;
- if, by driving, they jeopardize or are likely to jeopardize the safety or health of the public, themselves or any employees of the operator;
- if they are in violation of any of the standards governing cycles, hours of rest, driving and service, or records of duty status;
- if they have been issued an out-of-service order.

Drivers must comply with the standards governing cycles and hours of rest, driving and service.**

Drivers must:

- produce a record of duty status, except in the cases and under the conditions provided for by regulation;
- use an ELD to produce the record of duty status, except in the cases and under the conditions provided for by regulation;
- not produce more than one record of duty status per day, except in the cases and under the conditions provided for by regulation;
- not use more than one ELD during the same period;
- not enter inaccurate information in a record of duty status, or falsify, deface or make illegible a record of duty status or any supporting documents;
- not drive unless they have the required documents in their possession;
- make available or forward to the operator, or to any other person who supplies the driver's services, the record of duty status, information prescribed by regulation and supporting documents in their original format;
- provide upon request the above-mentioned documents and information to a peace officer or inspector for examination.

Drivers must:

- comply with any request made by a carrier enforcement officer during a roadside inspection or a facility audit;
- not hinder the work of peace officers or inspectors, mislead them by concealment or false declarations, refuse to provide them with any information or document they are entitled to require or examine, or conceal or destroy any document or property relevant to an inspection or audit.

* HSC: *Highway Safety Code*

** Hours of rest and hours of service correspond to off-duty time and on-duty time throughout this document.

Sections of the HSC*	Fines (imposed under the HSC)
519.8.1	519.44: \$350 to \$1,050 fine 519.34: \$700 to \$2,100 fine
519.9	519.44: \$350 to \$1,050 fine
519.10	519.44: \$350 to \$1,050 fine
519.67.1 and 519.70 519.73	519.77: \$700 to \$2,100 fine

Obligations of Operators

Operators must maintain records of duty status, registers and any other documents prescribed by regulation for a period of six months.

Operators must not request, require or allow a driver to drive:

- if the driver's faculties are impaired to the point where it is unsafe to drive;
- if, by driving, the driver jeopardizes or is likely to jeopardize the safety or health of the public, themselves or any employees of the operator;
- if the driver is in violation of the standards governing cycles, hours of rest, driving and service, or records of duty status;
- if the driver has been issued an out-of-service order.

Operators must:

- ensure that drivers comply with their obligations;
- take immediate remedial action to correct any problematic situations;
- document the action taken.

Operators must:

- ensure that their vehicles are equipped with an ELD;
- require each driver to fill out a record of duty status that accounts for all of the driver's hours of rest and hours of service for each day;
- ensure each ELD is maintained and kept in good working order in accordance with the manufacturer's standards;
- ensure each ELD system and user account is up to date;
- keep a register concerning the working order and use of each ELD;
- repair or replace any malfunctioning ELD.

Operators must:

- keep the records of duty status, the register containing the information regarding the working order and use of each ELD, the supporting documents and any other document prescribed by regulation in a designated location.
- make available any of the above-mentioned documents that are not in the designated location, or forward them to that location and ensure they are received by the prescribed deadline;
- at a peace officer's request, make available or forward to the peace officer the records of duty status, register and any other documents the peace officer deems necessary for inspection purposes.

Operators must obtain the records of duty status from the person who supplies a driver's services.

Operators must:

- comply with any request made by a carrier enforcement officer during a roadside inspection or a facility audit;
- not hinder the work of peace officers or inspectors, mislead them by concealment or false declarations, refuse to provide them with any information or document they are entitled to require or examine, or conceal or destroy any document or property relevant to an inspection or audit.

* HSC: *Highway Safety Code*

Sections of the HSC*	Fines (imposed under the HSC)
519.20	519.52: \$700 to \$2,100 fine
519.21.1	519.44: \$700 to \$2,100 fine
519.21.2	519.44: \$700 to \$2,100 fine
519.21.3	519.44: \$700 to \$2,100 fine
519.25	519.44: \$700 to \$2,100 fine
519.26	519.44: \$700 to \$2,100 fine
519.67.1 and 519.70 519.73	519.77: \$700 to \$2,100 fine

Obligations of Operators and Anyone Else	Sections of the HSC*	Fines (imposed under the HSC)
<p>Operators and anyone else must not:</p> <ul style="list-style-type: none"> • enter inaccurate information, falsify, deface or make illegible the records of duty status and supporting documents or otherwise impair their integrity; • disable, deactivate, block or degrade the signal reception or transmission of an ELD, or re-engineer, reprogram or alter the device so as to prevent it from entering or accurately recording the required information. 	519.21.4	519.44: \$700 to \$2,100 fine

* HSC: *Highway Safety Code*

Obligations of Owners and Operators	Sections of the HSC*	Fines (imposed under the HSC)
<p>Owners and operators must provide any information or documents relating to the enforcement of the <i>Highway Safety Code</i>.</p>	519.72	519.77: \$700 to \$2,100 fine

* HSC: *Highway Safety Code*

4h



**Société de l'assurance
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Québec 

Avec vous,
au cœur de votre sécurité

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